

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROQUE ARANDA TERCERO,

Petitioner,

v.

Case No. 11-cv-1035 JCH/SMV

**KENNETH J. GONZALES,
JANET NAPOLITANO,
ADRIAN MACIAS, and RAY TERRY,**

Respondents.

**ORDER RESERVING RULING
ON SECOND MOTION FOR EVIDENTIARY HEARING**

THIS MATTER is before the Court on Petitioner's [Second] Motion for Evidentiary Hearing . . . [Doc. 22], filed on April 16, 2012. Petitioner requests an evidentiary hearing and to subpoena certain witnesses. [Doc. 22] at 1–2. The Court reserves ruling on Petitioner's request for an evidentiary hearing until the merits of the Petition are addressed.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that ruling is **RESERVED** on Petitioner's Motion for Evidentiary Hearing . . . [Doc. 22].

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge